



ATTORNEY DOCKET NO. GRA26 777

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Joseph P. Kennedy, Jr.

Serial No.: 10/004,449

Art Unit: 2825

Filed: December 6, 2001

Examiner: Unassigned

Title: PSEUDOLITE POSITIONING SYSTEM AND METHOD

TRANSMITTAL

The Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

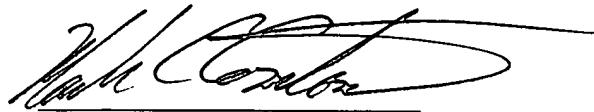
Transmitted herewith is a Notice of Omitted Items, a Letter, a Letter to the Official Draftsman, along with Formal Drawings showing Figures 1-4, 5A-5B, copies of the postcard receipts dated December 6, 2001, and a check in the amount of \$130.00 for the petition fee, for the above-identified Application.

If a Petition for an Extension of Time is necessary for the paper transmitted herewith to be timely filed, this transmittal is to be considered as a petition to extend the response period by the amount of time needed for the paper to be timely filed.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 04-1679.

A duplicate of this sheet is enclosed.

Respectfully submitted,



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Dated: March 14, 2002



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In re the Patent Application of Joseph P. Kennedy, Jr.

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LETTER

The Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

We received from the Patent and Trademark Office ("PTO") a Notice of Omitted Items in a Nonprovisional Application (the "Notice") dated 28 February 2002 for the above-referenced application. The Notice states that Figure 5A and Figure 5B (the "Omitted Items") were omitted from the application and that Applicant must submit the Omitted Items as well as a \$130 petition fee within two months of the date of the Notice. The Notice further states that the petition fee will be refunded if it is determined that the Omitted Items were received by the PTO.

Applicant attaches herewith two copies of the post card receipt that accompanied the above-referenced application at the time of filing the application at the PTO on 6 December 2001. One copy of the post card receipt bears the stamp of the PTO dated 6 December 2001. The other copy of the post card receipt bears the bar code and

application serial number of the application provided by the PTO. The post card receipt states, in part, that the papers enclosed are “Six (6) sheets of informal drawings showing Figures 1-4, & 5a-5b” (emphasis in the original). Therefore, Applicant has shown that the PTO received the Omitted Items at the time of filing the application.

Accordingly, Applicant requests that the petition fee be refunded to Applicant and the Notice withdrawn.

Applicant, under separate cover, has filed formal drawings of Figures 1-4, 5a, and 5b.

Respectfully Submitted,

By:



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Patrick D. McPherson
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Dated: March 14, 2002



46



GRA26 777

In Re Patent Application of Joseph P. Kennedy, Jr.

Serial Number: Unassigned

Filed: Herewith

Title: PSEUDOLITE POSITIONING SYSTEM AND METHOD

Papers enclosed: Two Transmittals, a Cover Sheet, an Abstract, Forty-One (41) pages of specification and Claims 1-37, Six (6) sheets of informal drawings showing Figures 1-4, & 5a-5b, a Combined Declaration and Power of Attorney and a check in the amount of \$1,886.00 for the above-identified application.

RECEIVED IN THE U.S. PATENT AND TRADEMARK OFFICE

GRA26 777

JC503 U.S. PRO
10/004449
12/06/01

In Re Patent Application of Joseph P. Kennedy, Jr.

Serial Number: Unassigned

Filed: Herewith

Title: PSEUDOLITE POSITIONING SYSTEM AND METHOD

Papers enclosed: Two Transmittals, a Cover Sheet, an Abstract, Forty-One (41) pages of specification and Claims 1-37, Six (6) sheets of informal drawings showing Figures 1-4, & 5a-5b, a Combined Declaration and Power of Attorney and a check in the amount of \$1,886.00 for the above-identified application.

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Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/004,449	12/06/2001	Joseph P. Kennedy JR.	GRA26 777

CONFIRMATION NO. 9676

FORMALITIES LETTER



OC00000007555681

Duane Morris LLP
Suite 700
1667 K Street, NW
Washington, DC 20006

Date Mailed: 02/28/2002

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

20/2002 MWHOLDER1 00000058 10004449

FC:122

130.00 OP

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- o Figure(s) **Fig. 5A, 5B** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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